HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.1809 of 2007

–
–

Between:

T.S.Shiva Kumar ... Petitioner

–

And

Chief Executive and Secretary,
Council for the Indian School Certificate
Examinations, New Delhi
and others. ...Respondents.

:: O R D E R ::

Counsel for the petitioner : Sri Akella Srinivasa Rao

5th February, 2007

Per G.S. SINGHVI, C.J.

Petitioner, T.S.Shiva Kumar, who is engaged in teaching Shakespearian works to the students and is said to be the editor of the site 'www.Shakespearerevived.com', has filed this petition for issue of a writ of mandamus to Chief Executive and Secretary, Council for the Indian School Certificate Examinations, New Delhi to de-recognise and not to prescribe the book 'Julius Ceasar' edited by Dr.Anil Wilson and printed by Inter University Press (P) Ltd., New Delhi.

In the affidavit filed by him, the appellant has highlighted the so-called serious and ridiculous mistakes in the book edited by Dr. Anil Wilson, referred to his correspondence on internet with some scholars and pleaded that despite notice/legal notice sent to the respondents, the latter have not taken steps to de-recognise and withdraw the book edited by Dr. Anil Wilson.

We have heard Sri Akella Srinivasa Rao and perused the record. In our opinion, the writ petition is liable to be dismissed summarily because,

i) the respondents do not fall within the definition of 'State' under Article 12 of the Constitution or the ambit of expression 'other authorities' used in Article 226 of the Constitution. It is also not the pleaded case of the petitioner that any of the respondents is invested with statutory power or is discharging some public law obligation, and

ii) the so-called defects or inaccuracies pointed out by the petitioner in the works of Shakespeare titled 'Julius Ceasar' and 'The Tempest',

which have been published by respondent No.2, are based on his own views on the subject. Therefore, the Court cannot direct respondent No.3 to withdraw the books edited by Dr.Anil Wilson (published by Inter University Press, New Delhi).

In the result, the writ petition is dismissed.

As a sequel to dismissal of the writ petition, W.P.M.P.No.2288 of 2007 filed by the petitioner for stay of publishing and selling of book 'Julius Ceasar' edited by Dr. Anil Wilson and printed by Inter University Press, New Delhi is also dismissed.

G.S.SINGHVI, C.J.

5th February, 2007

C.V.NAGARJUNA REDDY, J.

ARS